

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2.46 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (VIRGIL BRYANT, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7389

Agenda Date 02-23-04 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2.46 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (VIRGIL BRYANT, APPLICANT);
OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2.46 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (VIRGIL BRYANT, APPLICANT);
OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(District 4 – Henley)

(Francisco Torregrosa, Planner)

GENERAL INFORMATION	<p>APPLICANT: VIRGIL BRYANT</p> <p>LOCATION: 893 WEST CHARING CROSS CIRCLE</p> <p>ZONING: PUD (PLANNED UNIT DEVELOPMENT DISTRICT), COLONY COVE</p>
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A 176 SF (8 FOOT X 22 FOOT) COVERED SCREEN ROOM ADDITION, WHICH WOULD ENCROACH 7.54 FEET INTO THE 10 FOOT MINIMUM REAR YARD SETBACK. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> ◦ THE GRANTING OF THE REQUESTED VARIANCE WOULD CONFER ON THE APPLICANT SPECIAL

	<p>PRIVILEGES THAT ARE DENIED TO OTHERS IN THE COLONY COVE PUD.</p> <ul style="list-style-type: none">○ APPROVAL OF THE REQUESTED VARIANCE WOULD BEGIN A TREND OF SUBSTANTIAL ENCROACHMENT WITHIN THE PUD, WITHOUT THE DEMONSTRATION OF A HARDSHIP.○ REASONABLE USE OF THE PROPERTY WOULD BE RETAINED WITHOUT THE REQUESTED VARIANCE.
STAFF RECOMMENDATION	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUESTED REAR YARD SETBACK VARIANCE, BASED ON THE STATED FINDINGS.</p> <p>IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED SCREEN ROOM ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, FOLLOWING INFORMATION PRESENTED AT THE PUBLIC HEARING.

COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 19

TWP: 20

RNG: 30

DEVELOPMENT:		Colony Cove (Greenwood Lakes)				DEVELOPER:		Joe Baker							
LOCATION:		N side of Greenway Boulevard, E of Lake Emma Road, W of Lake Park Drive 113 lots													
FILE#:				BA:				SP:				BCC:			
P&Z:															
PB	39	PG	77-80	Lot		Blk		Parcel		DBA		Comm		Dist	
DEVEL. ORDER #:						TAX PAR. I.D. #:									
SIDEWALKS:						SETBACK REQUIREMENTS									
						FY:	20'	SIDE ST.:		SY:	*0'	RY:	10'		
ROAD TYPE: (CURB & GUTTER OR SWALE)						MAIN STRUCTURE OTHER: *Minimum of 7' between buildings									
COMMENTS OTHER: 1) Subject to the conditions of the Developer's Agreement. 2) Board of County Commissioners (BCC) approved sign in the median; BCC 7/12/88. Not flood prone						ACCESSORY STRUCTURE SETBACKS:									
						SY:	same as main structure*				RY:	5'			
						ACCESSORY STRUCTURE OTHER:									

IMPACT FEES	
SCREEN:	Ord.
TRAFFIC ZONE:	12
LAND USE:	1
1. ROAD-CO. WIDE	V-250
2. ROAD-COLL.	
3. LIBRARY	
4. FIRE	V-10
5. PARK	
6. SCHOOL	V-300
7. LAW	
8. DRAINAGE	
TOTAL	\$560.00
REMARKS:	

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX APPL. NO. ^{BV} 12004-011

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

☒ **VARIANCE** for a rear yard setback variance from 10' to 3' for a covered screen room

☐ **SPECIAL EXCEPTION**

☐ **MOBILE HOME SPECIAL EXCEPTION**

☐ EXISTING ☐ PROPOSED ☐ REPLACEMENT

MOBILE HOME IS FOR

YEAR OF MOBILE HOME _____ SIZE OF MOBILE HOME _____

ANTICIPATED TIME MOBILE HOME IS NEEDED _____

PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN _____

MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO

☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	VIRGIL ERIC BRYANT / SANDRA ANN BRYANT	
ADDRESS	893 W CHARING CROSS CIRCLE LAKE MARY FLORIDA 32746	
PHONE 1	407-324-3943	
PHONE 2	321-317-2227	
E-MAIL	EBRMP5SD@AOL.COM	

PROJECT NAME: Charming Cross Circle

SITE ADDRESS: SAME AS ABOVE

CURRENT USE OF PROPERTY: Single-Family Home

LEGAL DESCRIPTION: Leg Lot 10 Blk 3 Colony Cove PB 39 PGS 77 To 80

SIZE OF PROPERTY: 1 acre(s) PARCEL I.D. 19-20-30-512-0300-0100

UTILITIES: ☒ WATER ☐ WELL ☒ SEWER ☐ SEPTIC TANK ☐ OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS NONE

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

Feb 23

This request will be considered at the Board of Adjustment regular meeting on March 29 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Virgil Eric Bryant
 SIGNATURE OF OWNER OR AGENT*

01/09/04

DATE

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL

BCC PUBLIC HEARING DATE

FOR OFFICE USE ONLY

PROCESSING:

FEE: 150 COMMISSION DISTRICT 4 FLU/ZONING PUD/PD

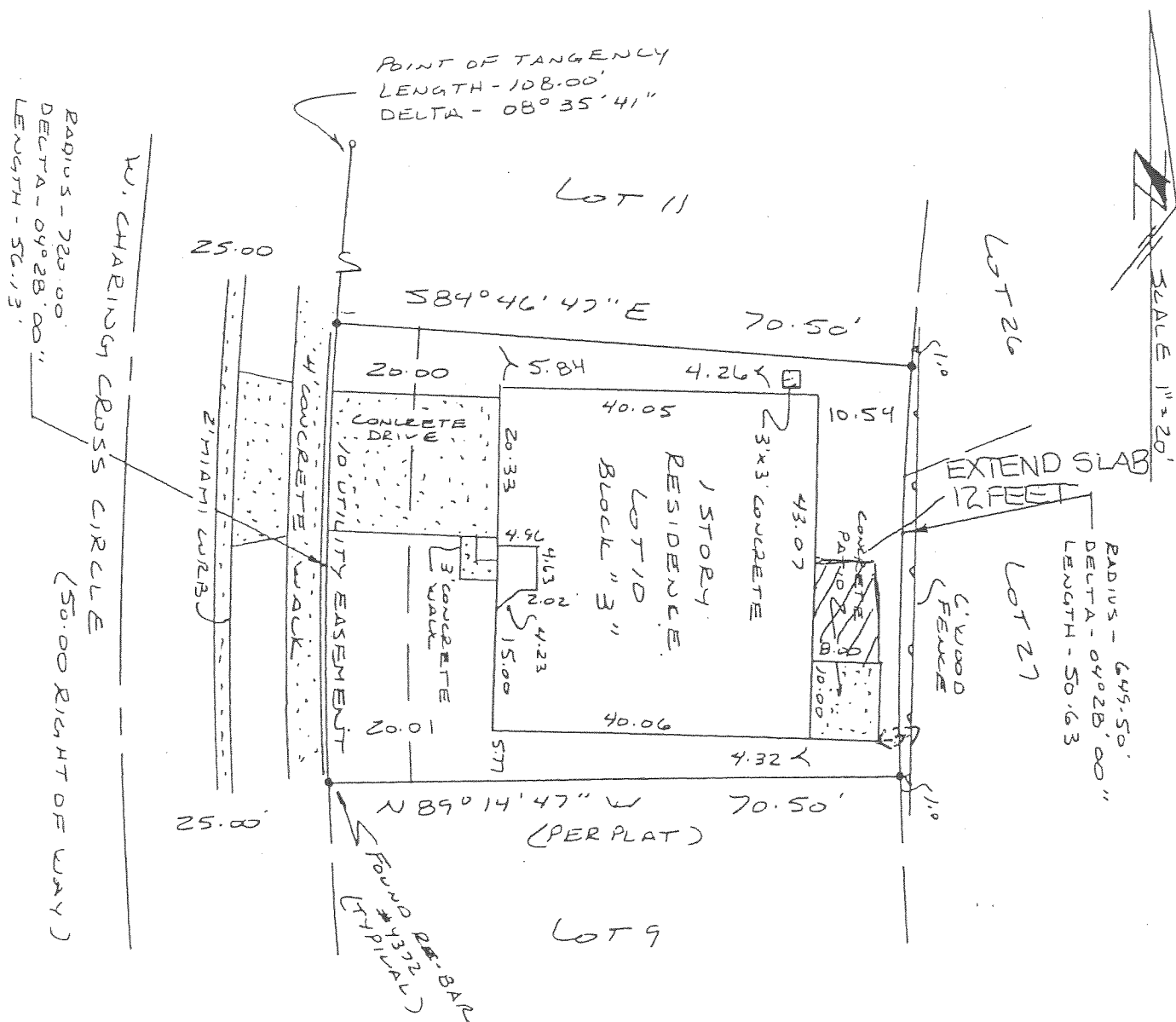
LOCATION FURTHER DESCRIBED AS LOCATED ON THE EAST SIDE
OF CHARINA CROSS CIR (WESTERN SIDE OF CIRCLE, EASTERN SIDE OF STREET)
APPROX 200' N. OF INTERSECTION WITH WAYBOURNE WAY.

PLANNER RS DATE 1/9/04

SUFFICIENCY COMMENTS

LAND DESCRIPTION: LOT 10, BLOCK 3, COLONY COVE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 39, PAGES 77-80, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.


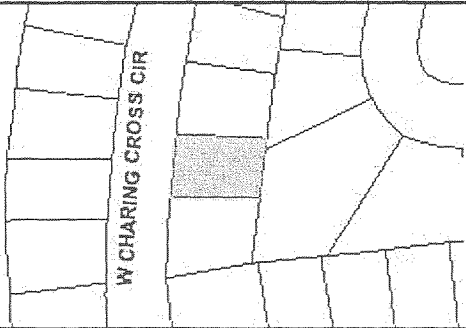

ADDRESS: 893 WEST CHARING CROSS CIRCLE



SURVEYORS NOTES:

1. Reproductions of this sketch are not valid unless signed with an embossed surveyors seal.
2. Lands shown hereon were not abstracted for easements and/or rights-of-way of record.
3. Bearings are based on North line Lot 10, Block 3 as S 84° 46' 47" E.
4. I have reviewed the F.I.R.M. map and determined that this property does not lie within the 100 year flood zone.
5. House ties are not to be used to reconstruct property lines.

CERTIFICATE:

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP.	TAX ROLL	SALES SEARCH	◁ Back ▷																																				
 <p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																																									
<p align="center">GENERAL</p> <p>Parcel Id: 19-20-30-512-0300-0100 Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: BRYANT VIRGIL E Exemptions: 00-HOMESTEAD</p> <p>Address: 893 W CHARING CROSS CIR</p> <p>City,State,ZipCode: LAKE MARY FL 32746</p> <p>Property Address: 893 CHARING CROSS CIR W LAKE MARY 32746</p> <p>Subdivision Name: COLONY COVE</p> <p>Dor: 01-SINGLE FAMILY</p>			<p align="center">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$86,123</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$21,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$107,123</p> <p>Assessed Value (SOH): \$85,485</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$60,485</p>																																						
<p align="center">SALES</p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>05/1993</td> <td>02598</td> <td>1227</td> <td>\$42,500</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1992</td> <td>02530</td> <td>0692</td> <td>\$86,400</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1991</td> <td>02324</td> <td>1848</td> <td>\$1,300,000</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1989</td> <td>02099</td> <td>0796</td> <td>\$2,445,200</td> <td>Vacant</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>			Deed	Date	Book	Page	Amount	Vac/Imp	QUIT CLAIM DEED	05/1993	02598	1227	\$42,500	Improved	WARRANTY DEED	12/1992	02530	0692	\$86,400	Improved	WARRANTY DEED	08/1991	02324	1848	\$1,300,000	Vacant	WARRANTY DEED	08/1989	02099	0796	\$2,445,200	Vacant	<p align="center">2003 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,412</p> <p>2003 Tax Bill Amount: \$1,003</p> <p>Savings Due To SOH: \$409</p> <p>2003 Taxable Value: \$58,481</p> <p align="center">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>								
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																									

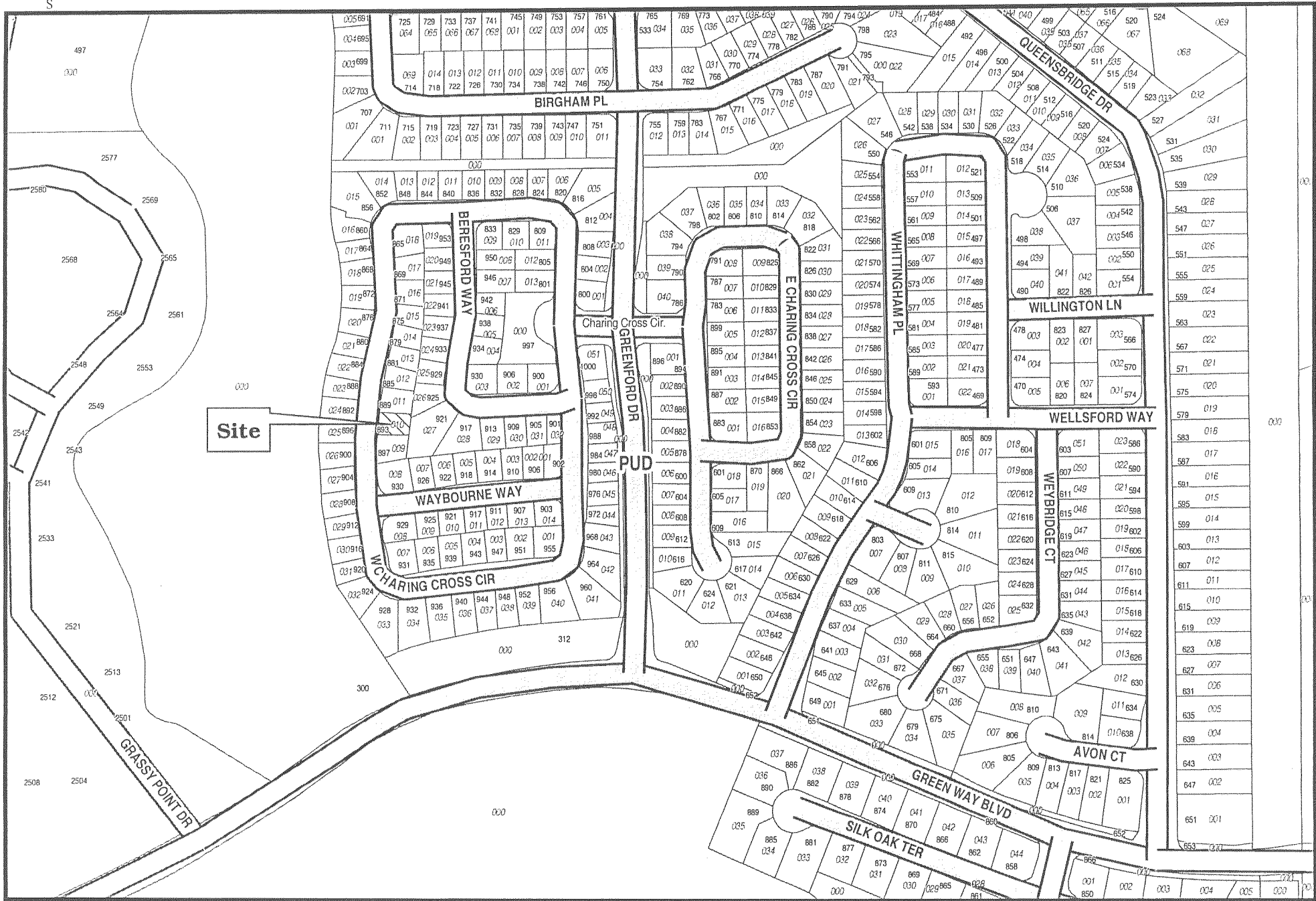
BACK

PROPERTY APPRAISER
HOME PAGE

CONTACT



Virgil & Sandra Bryant 893 W. Charing Cross Cir.



0 150 300 600 Feet

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 23, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 10 BLK 3 COLONY COVE PB 39 PGS 77 TO 80

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: VIRGIL BRYANT
893 W. CHARING CROSS CIRCLE
LAKE MARY, FL 32746

Site Address: 893 W. CHARING CROSS CIRCLE

Requested Development Approval:

1. REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2.46 FEET FOR A PROPOSED SCREEN ROOM ADDITION; AND

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Francisco Torregrosa
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED SCREEN ROOM ADDITION, AS DEPICTED ON THE ATTACHED SITE PLAN.

- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Matthew West who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: